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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,224	07/06/2001	Jeffrey D. Carr	17453US02	4002
23446 7590 04/04/2008 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER PARTHASARATHY, PRAMILA				
ART UNIT		PAPER NUMBER		
2136				
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04/04/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/900,224

Applicant(s)

CARR, JEFFREY D.

Examiner

PRAMILA PARTHASARATHY

Art Unit

2136

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 and 11-18 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is in response to the communication filed on December 31, 2007. Presently Claims 1 – 5, 7 – 18 are pending (please refer to Allowable subject matter).

Allowable Subject Matter

2. Claims 4, 5, 8 - 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art of record even in combination does not explicitly disclose the limitations of these claims.

Response to Arguments

3. Applicant's remarks filed on February 15, 2007 have been fully considered. Applicant argues that the instant invention is distinct from Matsui et al (6,742,116), however the examiner maintains that a reasonable interpretation of the claims render them broader than Applicant is arguing and broad enough to read on Matsui as will be explained below.

The instant invention claims "concealing a parameter transferred between a first and a second device" and the disclosure details that the parameter can be any secret or confidential data; encrypting (the parameter and control signal) at the first device, transmitting the encrypted parameter, receiving and using the control signal to decrypt the parameter signal and generating a destination parameter by decrypting the control signal.

Matsui teaches "generating a plurality of keys based on identifier (parameter) and a plurality of private keys (control signal) and storing the common keys generated such that each common key is identifiable by an index which corresponds to a predetermined series of

coordinated events, one index per common key" (see Matsui summary and Column 8 lines 17 – 65; column 10 line 50 – Column 11 line 46 and Column 14 line 57 - Column 15 line 56).

Applicant's general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Therefore, the examiner respectfully asserts that the cited prior art does teach or suggest the subject matter broadly recited in independent claims. The dependent claims are rejected at least by virtue of their dependency on the dependent claims and by other reason set forth in this office action. Accordingly, the rejection for the pending claims is respectfully maintained.

Furthermore, Examiner suggests amending the Claims 4, 5 and 8 – 10.

Claim Objections

4. Claim 15 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Respective parent claim recites "a control signal comprising a key index" and Claim 15 recites, "the control signal comprises the key index", which does not further limit the parent Claim. Applicant does not claim any other data in the control signal than a key index (see parent claim) thus when transformed, the control signal can only have a key index.

Claim Rejections - 35 USC § 102

5. Claims 1-3, 7 and 11 - 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsui et al. (U.S. Patent Number 6,742,116).

6. As per Claims 1, 7 and 13, Matsui teaches "generating, by the first device, a control signal and a parameter signal; encrypting or hashing by the first device a portion of the control signal with the parameter signal to generate an encrypted or hashed parameter signal and control signal; transmitting by the first device to the second device the control signal and the encrypted or hashed parameter signal and control signal; receiving by the second device from the first device the control signal and the encrypted or hashed parameter signal and control signal; using by the second device the control signal to decrypt or inversely transform the encrypted or hashed parameter signal and control signal; and generating by the second device a destination parameter signal depending upon a comparison of the control signal and decrypted or inversely transformed control signal" (Column 14 line 57 – Column 15 line 56).
7. As per Claims 2-3, 11 – 12 and 14 – 18, claims are rejected by the virtue of their dependence on the rejected parent claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-232-4195. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Pramila Parthasarathy/
Examiner, Art Unit 2136
March 31, 2008